

THE HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BOMBARDIER INC.,

Plaintiff,

v.

MITSUBISHI AIRCRAFT
CORPORATION, MITSUBISHI
AIRCRAFT CORPORATION AMERICA,
INC., et al.,

Defendants.

2:18-cv-1543 RAJ

JOINT NOTICE OF AGREEMENT TO
EXTEND FILING DATE FOR
OPPOSITION TO BOMBARDIER'S
MOTION FOR A PRELIMINARY
INJUNCTION BY DEFENDANTS
MITSUBISHI AIRCRAFT CORPORATION
AMERICA, INC., AEROSPACE TESTING
ENGINEERING & CERTIFICATION INC.,
LAURUS BASSON, AND CINDY
DORNEVAL

Defendants Mitsubishi Aircraft Corporation America, Inc., Aerospace Testing
Engineering & Certification Inc., Laurus Basson, and Cindy Dornéval (collectively, the "Subject
Defendants"¹) hereby jointly notify the Court that the Subject Defendants and Plaintiff
Bombardier Inc. ("Bombardier") have agreed to extend by one day the date by which the Subject
Defendants will file their opposition Bombardier's Motion for a Preliminary Injunction. The
new filing date for the opposition is still prior to the filing date required by the local rules. The
parties have agreed that the Subject Defendants will file their opposition briefs and supporting

¹ Bombardier also moved for a preliminary injunction against Defendant Marc Delarche, but he has not
been served and is thus not yet a party to this suit.

JOINT NOTICE OF AGREEMENT TO EXTEND FILING
DATE (NO. 18-CV-1543 RAJ) – 1

142588713.1

Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000

1 materials on December 27, 2018, instead of December 26, 2018, as originally agreed as
2 explained below.
3

4 Bombardier's Motion for Preliminary Injunction (Dkt. 4) is noted for January 4, 2019.
5
6 (Dkt. 46). Under the local rules, the Subject Defendants' opposition papers are not due until
7
8 December 31, 2018. However, the parties previously agreed that the Subject Defendants would
9
10 file and serve their opposition papers on December 26, 2018.
11

12
13 However, Bombardier has designated certain information that is discussed in the Subject
14
15 Defendants' opposition briefs and supporting materials as "confidential." (*See* Dkt. 22, 50.) The
16
17 parties entered into an agreement regarding how information designated by Bombardier as
18
19 confidential is to be treated (Interim Confidentiality Agreement). (*See* Dkt. 50). The Interim
20
21 Confidentiality Agreement requires the Subject Defendants to confer with Bombardier regarding
22
23 the filing of materials that discuss or reference information designated by Bombardier to be
24
25 confidential. (*Id.*) Local Rule 5(g), also requires redactions to be minimized.
26

27 To comply with Local Rule 5(g) and the Interim Agreement, the parties have negotiated
28
29 the following process to minimize the amount of material that the Subject Defendants will redact
30
31 from their filing: The Subject Defendants will serve their opposition briefs and supporting
32
33 materials on Bombardier by 3:00 p.m. today, December 26, 2018. Bombardier will then review
34
35 the documents to identify the content it deems confidential and appropriate for redaction, if any.
36
37 Bombardier will notify the Subject Defendants of such content by 3:00 p.m. on Thursday,
38
39 December 27, 2018. Pursuant to Local Rule 5(g), the parties will then meet and confer on
40
41 Bombardier's proposed redactions on December 27, 2018. If necessary, the Subject Defendants
42
43 will then file redacted versions of their opposition briefs and supporting materials (redacting only
44
45 the content that Bombardier maintains is confidential after the meet and confer) on December 27,
46
47 2018. It will also file an unredacted version with a Motion to Seal. If Bombardier does not
48
49 identify any content requiring redaction, the Subject Defendants will file unredacted versions of
50
51 their opposition briefs and supporting materials on December 27, 2018.

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Seattle, WA 98101-3099
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1 This procedure will cause no prejudice or delay any other deadlines.
2
3

4
5 RESPECTFULLY SUBMITTED this 26th day of December 2018.
6

7 s/ John Denkenberger

8 John Denkenberger, WSBA No. 25907
9 Brian F. McMahon, WSBA No. 45739
10 **Christensen O'Connor Johnson Kindness**
11 **PLLC**

12 1201 Third Avenue, Suite 3600

13 Seattle, WA 98101-3029

14 Telephone: 206.682.8100

15 Facsimile: 206.224.0779

16 E-mail: john.denkenberger@cojk.com,

17 E-mail: brian.mcmahon@cojk.com
18
19

20 Attorneys for Plaintiff Bombardier Inc.
21
22
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24
25
26
27
28

29 s/ Mark A. Bailey

30 Richard J. Omata, WSBA #7032

31 Mark A. Bailey, WSBA #26337

32 **Karr Tuttle Campbell**

33 701 Fifth Avenue, Suite 3300

34 Seattle, WA 98104

35 Telephone: 206-223-1313

36 Facsimile: 206-682-7100

37 Email: romata@karrtuttle.com

38 Email: mbailey@karrtuttle.com
39
40
41

42 Attorneys for Defendants Aerospace Testing

43 Engineering & Certification Inc., Laurus

44 Basson, and Cindy Dornéval
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48
49
50
51

s/ Mary Z. Gaston

Jerry A. Riedinger, WSBA No. 25828

Mack H. Shultz, WSBA No. 27190

James Sanders, WSBA No. 24565

Mary Z. Gaston, WSBA No. 27258

Shylah R. Alfonso, WSBA No. 33138

Perkins Coie LLP

1201 Third Avenue, Suite 4900

Seattle, WA 98101-3099

Telephone: 206.359.8000

Facsimile: 206.359.9000

E-mail: JRiedinger@perkinscoie.com

E-mail: MShultz@perkinscoie.com

E-mail: MGaston@perkinscoie.com
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Attorneys for Defendant Mitsubishi Aircraft
Corporation America, Inc.

CERTIFICATE OF SERVICE

I certify under penalty of perjury that on December 26, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses indicated on the Court's Electronic Mail Notice List.

DATED this 26th day of December 2018.

s/Mary Z. Gaston

Mary Z. Gaston, WSBA No. 27258

Perkins Coie LLP

1201 Third Avenue, Suite 4900

Seattle, WA 98101-3099

Telephone: 206.359.8000

Facsimile: 206.359.9000

E-mail: MGaston@perkinscoie.com